

# PATENT COOPERATION TREATY

From the  
INTERNATIONAL SEARCHING AUTHORITY

To:

see form PCT/ISA/220

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### WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing  
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference  
see form PCT/ISA/220

#### FOR FURTHER ACTION See paragraph 2 below

International application No.  
PCT/GB2004/005099

International filing date (day/month/year)  
03.12.2004

Priority date (day/month/year)  
19.12.2003

International Patent Classification (IPC) or both national classification and IPC  
B65D41/04

Applicant  
BEESON AND SONS LIMITED

#### 1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

#### 2. FURTHER ACTION

If a demand for International preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

#### 3. For further details, see notes to Form PCT/ISA/220.

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**10/582437**

**WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING AUTHORITY**

International application No.  
PCT/GB2004/005099

**JAP20 Rec'd PCT/PTO 09 JUN 2006**

**Box No. I Basis of the opinion**

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
  - This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
  - a. type of material:
    - a sequence listing
    - table(s) related to the sequence listing
  - b. format of material:
    - in written format
    - in computer readable form
  - c. time of filing/furnishing:
    - contained in the international application as filed.
    - filed together with the international application in computer readable form.
    - furnished subsequently to this Authority for the purposes of search.
3.  In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

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## WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No.  
PCT/GB2004/005099

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**Box No. V Reasoned statement under Rule 43bis.1(a)(I) with regard to novelty, inventive step or  
industrial applicability; citations and explanations supporting such statement**

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1. Statement

Novelty (N)	Yes:	Claims	4,5,10
	No:	Claims	1-3,6-9,11,12
Inventive step (IS)	Yes:	Claims	
	No:	Claims	1-12
Industrial applicability (IA)	Yes:	Claims	1-12
	No:	Claims	

2. Citations and explanations

see separate sheet

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101582437

International application No.

WRITTEN OPINION OF THE  
INTERNATIONAL SEARCHING  
AUTHORITY (SEPARATE SHEET)

PCT/GB2004/005099

AP20 Rec'd PCT/PTO 09 JUN 2006

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Reference is made to the following documents:

- D1: EP-A-0 864 505 (THE PROCTER & GAMBLE COMPANY) 16 September 1998 (1998-09-16),
- D2: EP-A-0 665 169 (JACOB BERG GMBH & CO. KG; BERICAP GMBH & CO. KG) 2 August 1995 (1995-08-02),
- D3: US-A-3 435 978 (JOHN C. WITTWER) 1 April 1969 (1969-04-01),
- D4: PATENT ABSTRACTS OF JAPAN vol. 018, no. 529 (M-1684), 6 October 1994 (1994-10-06) -& JP 06 183449 A (SUZUNO KASEI KK), 5 July 1994 (1994-07-05) and
- D5: US-A-4 289 248 (LYNN ET AL) 15 September 1981 (1981-09-15).

2. The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claims 1-3, 6-9, 11 and 12 is not new in the sense of Article 33(2) PCT.

The document D1 discloses (cf. claims 1-4, 10, 11; column 2, lines 35-56; column 4, lines 16-44; figures 7 and 8; the references in parentheses applying to this document):

A threaded container closure assembly, said assembly comprising:  
a container neck (4) having an opening (5),  
a closure (3) for said neck, the closure having a base portion and a skirt portion,  
a first screw thread on the neck, said first screw thread comprising one or more first thread segments, and a second screw thread on an inner surface of the skirt of the closure, said second screw thread comprising one or more thread segments, said first and second screw threads being configured to enable a user to secure, remove and resecure the closure into a sealing position on the neck by rotation of the closure

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International application No.

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on the neck;

a first locking projection (17, 19) on the container neck separate from the first thread segments and a second locking projection (16, 18) on the inner surface of the skirt of the closure separate from the second thread segments, said first and second locking projections being configured to resist unscrewing of the closure from the fully engaged position on the container neck after the closure has been secured or resecured on the container neck until a predetermined minimum opening torque is applied;

wherein said first and second locking projections longitudinally overlap the first of the second thread segments when the closure is in the fully engaged position on the container neck.

The documents D2-D5 likewise disclose all features of the subject-matter of claim 1. Thus, the subject-matter of claim 1 is also not novel in view of D2-D5 Article 33(2) PCT.

3. Dependent claims 2-12 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step, see documents D1-D5 and the corresponding passages cited in the search report.